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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,753	11/25/2003	Jukka Tuomi	59643.00354	2767

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EXAMINER	
PHAN, HUY Q	
ART UNIT	PAPER NUMBER
2687	

DATE MAILED: 09/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/720,753

Applicant(s)

TUOMI ET AL.

Examiner

Huy Q. Phan

Art Unit

2687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>06/18/04, 11/25/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Regarding claims 1, 2, 5, 9, 10, 14 and 15, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

For examining purposes, the phrase "such as" has been deleted.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-12, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freitag et al. (US-6,804,506) in view of Rune et al. (US-6,731,932).**

Regarding claim 1, Freitag et al. disclose a method for performing authentication in a communication system comprising an authentication server (AS) (col. 3, lines 23-24), and a user profile store (HLR) storing user profiles for users of the communication

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system (col. 3, lines 21-24), the method comprising: transmitting from the authentication server to the user profile store a request for the user profile of a user (col. 4, lines 56-57; it is noted that "The visitor location register VLR then initiates the authentication process by sending an authentication request aureq to the home location register HLR and authentication center AC" see col. 4, lines 49-52) and receiving at the AS a response to the request (col. 4, lines 56-60). But, Freitag et al. do not particularly show determining whether the response is indicative of an error; and if the response is indicative of an error, transmitting from the authentication server to the user profile store a message of a type to trigger the user profile store to perform a location update procedure in respect of the user. However in analogous art, Rune et al. teach determining whether the response is indicative of an error (in order to determine "If this retrieval fails"; see cols. 11); and if the response is indicative of an error ("If this retrieval fails"; see cols. 11), transmitting from the authentication server to the user profile store (col. 12, lines 16-31) a message of a type to trigger the user profile store to perform a location update procedure in respect of the user (col. 11, lines 33-47). Since, Freitag et al. and Rune et al. are related to method for handling subscriber data; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Freitag et al. as taught by Rune et al. for purpose of making sure advantageously "A subscriber profile in a visitor network entity may be updated if necessary, and if certain conditions are met. The profile may be updated by sending modifications from the home network entity to the visitor network entity" (see Rune et al.'s abstract).

Regarding claim 2, Freitag et al. and Rune et al. disclose the method as claimed in claim 1. Freitag et al. further disclose wherein the message is of a type to trigger the user profile store to perform the location update and subsequently transmit the user profile of the user to the authentication server (col. 4, lines 40-59).

Regarding claim 3, Freitag et al. and Rune et al. disclose the method as claimed in claim 1. Freitag et al. further disclose wherein the user profile store is a user profile store of a GSM network (col. 2, lines 53 and fig. 1).

Regarding claim 4, Freitag et al. and Rune et al. disclose the method as claimed in claim 1. Freitag et al. further disclose wherein the user profile store is a home location register (HLR) (col. 3, lines 21-23).

Regarding claim 5, Freitag et al. and Rune et al. disclose the method as claimed in claim 1. Freitag et al. further disclose wherein the user profile store is to: in some circumstances return to the authentication server the user profile of the user in response to the said request (col. 4, lines 40-59); and while Rune et al. further disclose in other circumstances return to the authentication server an error message in response to the said request (in order to determine "If this retrieval fails"; see cols. 11).

Regarding claim 6, Freitag et al. and Rune et al. disclose the method as claimed in claim 5. Rune et al. further disclose wherein the said other circumstances include the user not having been in communication with the network of which the user profile store is a part for a prolonged period ("amount of time"; see col. 9, lines 20-30).

Regarding claim 7, Freitag et al. and Rune et al. disclose the method as claimed in claim 1. Rune et al. further disclose wherein the said request is a message according to the MAP protocol (col. 11).

Regarding claim 8, Freitag et al. and Rune et al. disclose the method as claimed in claim 7. Rune et al. further disclose wherein the said request is a MAP_RESTORE_DATA message (col. 11, line 35; also see cols. 11-12).

Regarding claim 9, Freitag et al. and Rune et al. disclose the method as claimed in claim 1. Rune et al. further disclose wherein the message of a type to trigger the user profile store to perform a location update procedure in respect of the user is a message according to the MAP protocol (col. 11).

Regarding claim 10, Freitag et al. and Rune et al. disclose the method as claimed in claim 9. Rune et al. further disclose wherein the said the message of a type to trigger the user profile store to perform a location update procedure in respect of the user is a MAP_UPDATE_LOCATION or a MAP_UPDATE_GPRS_LOCATION message

(col. 11).

Regarding claim 11, Freitag et al. and Rune et al. disclose the method as claimed in claim 1. Rune et al. further disclose receiving at the authentication server the user profile of the user from the user profile store (col. 4, lines 40-59); and authenticating credentials of the user by means of the received user profile (cols. 4-5); and wherein if the credentials are correctly authenticated the user is granted access to a resource ("it determines ... the authentication process...to the mobile station MS" see col. 5, lines 5-39), and otherwise the user is denied access to the resource ("the connection has been terminated" see col. 5, line 44).

Regarding claim 12, Freitag et al. and Rune et al. disclose the method as claimed in claim 1. Rune et al. further disclose wherein the resource includes access to a network other than the one of which the user profile store is a part (col. 5).

Regarding claim 14, Freitag et al. disclose an authentication server (AS) (col. 3, lines 23-24) for performing authentication in a communication system comprising a user profile store storing user profiles for users of the communication system (col. 3, lines 21-24), the authentication server being arranged to, in order to perform authentication: transmitting from the authentication server to the user profile store a request for the user profile of a user (col. 4, lines 56-57; it is noted that "The visitor location register VLR then initiates the authentication process by sending an authentication request aureq to

the home location register HLR and authentication center AC" see col. 4, lines 49-52) and receiving at the AS a response to the request (col. 4, lines 56-60). But, Freitag et al. do not particularly show determining whether the response is indicative of an error; and if the response is indicative of an error, transmitting from the authentication server to the user profile store a message of a type to trigger the user profile store to perform a location update procedure in respect of the user. However, Rune et al. teach determining whether the response is indicative of an error (in order to determine "If this retrieval fails"; see cols. 11); and if the response is indicative of an error ("If this retrieval fails"; see cols. 11), transmitting from the authentication server to the user profile store (col. 12, lines 16-31) a message of a type to trigger the user profile store to perform a location update procedure in respect of the user (col. 11, lines 33-47); therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Freitag et al. as taught by Rune et al. for purpose of making sure advantageously "A subscriber profile in a visitor network entity may be updated if necessary, and if certain conditions are met. The profile may be updated by sending modifications from the home network entity to the visitor network entity" (see Rune et al.'s abstract).

Regarding claim 15, Freitag et al. disclose a communication system (fig. 1 and description) comprising: a user profile store storing user profiles for users of the communication system (col. 3, lines 21-24); and an authentication server (AS) for performing authentication in the communication system and being arranged to (col. 3,

lines 23-24), in order to perform authentication: transmit from the authentication server to the user profile store a request for the user profile of a user (col. 4, lines 56-60); receive at the AS a response to the request (col. 4, lines 56-60).

But, Freitag et al. do not particularly show determining whether the response is indicative of an error; and if the response is indicative of an error, transmitting from the authentication server to the user profile store a message of a type to trigger the user profile store to perform a location update procedure in respect of the user. However, Rune et al. teach determining whether the response is indicative of an error (in order to determine "If this retrieval fails"; see cols. 11); and if the response is indicative of an error ("If this retrieval fails"; see cols. 11), transmitting from the authentication server to the user profile store (col. 12, lines 16-31) a message of a type to trigger the user profile store to perform a location update procedure in respect of the user (col. 11, lines 33-47); therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Freitag et al. as taught by Rune et al. for purpose of making sure advantageously "A subscriber profile in a visitor network entity may be updated if necessary, and if certain conditions are met. The profile may be updated by sending modifications from the home network entity to the visitor network entity" (see Rune et al.'s abstract).

4. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Freitag et al. (US-6,804,506) in view of Rune et al. (US-6,731,932) and further in view of Kalavade et al. (US-2003/0051041).

Regarding claim 13, Freitag et al. and Rune et al. disclose the method as claimed in claim 1. But, Freitag et al. and Rune et al. do not particularly show wherein the network other than the one of which the user profile store is a part is a wireless local area network. However in analogous art, Kalavade et al. teach wherein the network other than the one of which the user profile store is a part is a wireless local area network ([0089]-[0093]). Since, Freitag et al., Rune et al. and Kalavade et al. are related to method for handling subscriber data; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Freitag et al. as taught by Kalavade et al. in order "To address possible security limitations of the login/password authentication, a recent development on the wireless LAN security front has been to use 802.1X for authentication. 802.1x is a port-based security protocol proposed by the IEEE. 802.1x allows blocking of all access until the user is authenticated" (see Kalavade et al.'s specification [0091]).


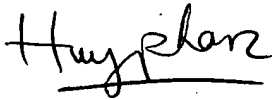
Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy Q Phan whose telephone number is 571-272-7924. The examiner can normally be reached on 8AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kincaid G Lester can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


SONNY TRINH
PRIMARY EXAMINER

Examiner: Phan, Huy Q.

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Date: 09/01/2005